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MICROSOFT CORPORATION
ATTN: PATENT GROUP DOCKETING DEPARTMENT
ONE MICROSOFT WAY
REDMOND, WA 98052-6399

EXAMINER
RAYYAN, SUSAN F

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2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		10/749,936	BREWER ET AL.
		Examiner	Art Unit
		Susan F. Rayyan	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). •
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 December 2003*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-32* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-32* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *30 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date *03/22/2004, 4/5/04*.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-32 are pending.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on March 22, 2004 and

April 5, 2004 were filed before First Office Action. The submission is in compliance with

the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is

being considered by the examiner.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 1-3, 6-7,10-15,17-21,23-25,27-28,30-32 are rejected under 35 U.S.C. 103(a)

as being unpatentable over US Patent Number 6,564,213 issued to Ruben E.

Ortega et al ("Ortega") and Lynne E. Gilfillan et al ("Gilfillan").

As per independent claim 1 Ortega teaches:

a) defining one or more query related character patterns that do not include an

explicit indicator of query submission;

b) monitoring entry of query defining characters by a user to detect entry of a

defined query related character pattern (Figure 2A, displays the autocompletion strings

(refinement options) for "SO") ;

c) providing the user with one or more suggested query refinement options each

time a defined query related character pattern is detected(Figure 2A, Reference No. 62

, autocompletion strings (refinement options), Figure 2A- 2B and column 5, lines 23-36,

Figure 2A displays the autocompletion strings (refinement options) for "SO" and at

Figure 2B the display shows the incrementally updated autocompletion strings

(refinement options) for "SONY").

Ortega does not explicitly teach providing the user with an updated query result each

time a ... query ... is detected. Gilfillan does teach this limitation (paragraph 60 to

paragraph 61, line 3) to provide organized search results (paragraph 7, lines 9-11). It

would have been obvious to one of ordinary skill in the art at the time of the invention to

modify Ortega with providing the user with an updated query result each time a ... query

... is detected to provide organized search results (paragraph 7, lines 9-11).

As per claim 2, same as claim arguments above and Ortega teaches:

further comprising tracking queries entered by one or more users and adjusting the

suggested query refinement options based on a history of queries previously entered by

the one or more users (column 2, lines 20-24 and column 3, lines 10-12).

As per claim 3, same as claim arguments above and Ortega teaches:

further comprising tracking results selected by one or more users and adjusting the

suggested query refinement options based on a history of results previously selected by

the one or more users (column 2, lines 30-35, most popular items in the database).

As per claim 6, same as claim arguments above and Ortega teaches:

wherein one defined query related character pattern is a string of characters followed by

a space (Figure 2B).

As per claim 7, same as claim arguments above and Ortega teaches:

wherein one query related character pattern is a string of characters followed by a

predefined time delay before additional characters are entered (column 2, lines 20-25).

As per claim 10, same as claim arguments above and

further comprising providing a user input that allows the user to adjust the query related

character patterns.

As per claim 11, same as claim arguments above and Ortega teaches:

wherein the updated query result list includes result listings from a user hard drive, an

intranet server, and an Internet server (column 3, line 25-35).

Claim 12 is rejected based on the same rationale as claim 1.

As per independent claim 13 Ortega teaches:

a) providing a user with one or more query refinement options as the user enters

query defining characters(Figure 2A, Reference No. 62 , autocompletion strings

(refinement options), Figure 2A- 2B and column 5, lines 23-36, Figure 2A displays the

autocompletion strings (refinement options) for "SO" and at Figure 2B the display shows

the incrementally updated autocompletion strings (refinement options) for "SONY");

b) detecting entry of a query defining word by the user without requiring a user to

provide an explicit indicator of query submission(Figure 2B, displays results of the

detecting(refinement options) for "SONY").

Ortega does not explicitly teach providing the user with an updated query results

each time entry of a query defining word is detected. Gilfillan does teach this limitation

(paragraph 60 to paragraph 61, line 3) to provide organized search results (paragraph

7, lines 9-11). It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify Ortega with providing the user with an updated query results

each time entry of a query defining word is detected to provide organized search

results(paragraph 7, lines 9-11).

As per claim 14, same as claim arguments above and Ortega teaches:

further comprising tracking queries entered by one or more users and adjusting the

suggested query refinement options based on a history of queries previously entered by

the one or more users(column 2, lines 20-24 and column 3, lines 10-12)..

As per claim 15, same as claim arguments above and Ortega teaches:

comprising tracking results selected by one or more users and adjusting the suggested

query refinement options based on a history of results previously selected by the one or

more users(column 2, lines 30-35, most popular items in the database).

As per claim 17, same as claim arguments above and Ortega teaches:

wherein one defined query related character pattern is a string of characters followed by

a space(Figure 2B).

As per claim 18, same as claim arguments above and Ortega teaches:

wherein one query related character pattern is a string of characters followed by a

predefined time delay before additional characters are entered (column 2, lines 20-25).

As per claim 19, same as claim arguments above and Ortega teaches:

wherein the updated query result list includes result listings from a user hard drive, an

intranet server, and an internet server(column 3, line 25-35).

Claim 20 is rejected based on the same rationale as claim 13.

As per independent claim 21 Ortega teaches:

 a) providing a user with auto-complete alternatives as the user enters query

defining characters(Figure 2A, Reference No. 62 , autocompletion strings (refinement

options), Figure 2A- 2B and column 5, lines 23-36, Figure 2A displays the

autocompletion strings (refinement options) for "SO" and at Figure 2B the display shows

the incrementally updated autocompletion strings (refinement options) for "SONY");

b) detecting entry of a completed query defining word by the user (Figure 2B, displays

results of the detecting (refinement options) for "SONY");

d) providing the user with query refinement options related to the query defining

word (Figure 2B, displays autocompletion strings (refinement options) for "SONY")

e) determining whether the user selects a provided query refinement option (column 5,

lines 37-40, selecting and submitting the autocompletion strings (selected refinement

option) for searching).

    Ortega does not explicitly teach providing the user with a query result list each time a

query defining word is detected and providing the user with an updated query result list

when it is determined that the user has selected a provided query refinement option.

Gilfillan does teach these limitations (at paragraph 60 to paragraph 61, line 3) to provide

organized search results (paragraph 7, lines 9-11). It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Ortega with providing the

user with a query result list each time a query defining word is detected and providing

the user with an updated query result list when it is determined that the user has

selected a provided query refinement option to provide organized search

results(paragraph 7, lines 9-11).

As per claim 23, same as claim arguments above and Ortega teaches:

wherein the updated query result list includes result listings from a user hard drive, an

intranet server, and an Internet server(column 3, line 25-35).

Claim 24 is rejected based on the same rationale as claim 21.

As per independent claim 25 Ortega teaches:

 a) a query entry text box for entering query defining characters (Figure 2A, search box,

Ref.No. 60);

b) a query refinement option list of user selectable query refinement options(Figure 2A,

Reference No. 62 , autocompletion strings (refinement options)) that is incrementally

updated as a query is entered into the query entry text box (Figure 2A- 2B and column

5, lines 23-36, Figure 2A displays the autocompletion strings (refinement options) for

"SO" and at Figure 2B the display shows the incrementally updated autocompletion

strings (refinement options) for "SONY").

    Ortega does not explicitly teach a query result list that is incrementally updated ...

Gilfillan does teach this limitations (at paragraph 60 to paragraph 61, line 3) to provide

organized search results (paragraph 7, lines 9-11). It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Ortega with a query result

list that is incrementally updated ... to provide organized search results (paragraph 7,

lines 9-11).

As per claim 27, same as claim arguments above and Ortega teaches:

further comprising a user selectable search icon for manually executing a query defined

by characters in the query entry text box (Figure 2A, Ref. No. 66).

As per claim 28, same as claim arguments above and Ortega teaches:

wherein the query refinement option list is semi-transparent (Figure 2A, Ref. No. 62).

As per independent claim 30 Ortega teaches:

a) a user input device enabling input of query defining text characters(Figure 2A,

search box, Ref.No. 60);

b) a display (Figure 1);

c) a data content that is searchable (column 2, lines 10-15, searchable database);

d) a memory in which machine instructions are stored (Figure 1);

e) a processor that is coupled to the user input device, to the display, to the data

content, and to the memory, the processor executing the machine instructions to carry

out a plurality of functions (Figure 1), including:

i) defining one or more query related character patterns that do not include

an explicit indicator of query submission (column 2, lines 6-8, generating

autocompletion strings datasets);

ii) monitoring entry of query defining characters by a user to detect entry

of a defined query related character pattern (column 5, lines 27-29, query entered and

suggested autocompletion strings (character pattern) are displayed).

Ortega does not explicitly teach searching the data content and providing the user

with an updated query result when a ... query ... is detected. Gilfillan does teach this

limitations (at paragraph 60 to paragraph 61, line 3) to provide organized search results

(paragraph 7, lines 9-11). It would have been obvious to one of ordinary skill in the art at

the time of the invention to modify Ortega with searching the data content and providing

the user with an updated query result when a ... query ... is detected to provide

organized search results (paragraph 7, lines 9-11).

As per claim 31, same as claim arguments above and Ortega teaches:

wherein the searchable database resides on one or more remote computers and data

used to define the one or more query related character patterns resides on a user

terminal (column 3, lines 5-15, column 4, lines 36-40).

As per claim 32, same as claim arguments above and Ortega teaches:

wherein the data content includes data stored on a user hard drive, data stored on an

intranet server, and data stored on an Internet server(column 3, line 25-35).

Claims 4,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,564,213 issued to Ruben E. Ortega et al ("Ortega") and Lynne E. Gilfillan et al ("Gilfillan") in view of US Patent Number 6,006225 issued to Dwayne E. Bowman et al ("Bowman").

As per claim 4, same as claim arguments above and Ortega and Gilfillan do not explicitly teach further comprising tracking results selected by one or more users and adjusting an order of the updated query result list based on a history of results previously selected by the one or more users . Bowman does teach this limitation at column 7, lines 45-50 to produce a successful query result at column 2, lines 44-46. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega with tracking results selected by one or more users and adjusting an order of the updated query result list based on a history of results previously selected by the one or more users to produce a successful query result at column 2, lines 44-46.

As per claim 16, same as claim arguments above and Ortega and Gilfillan do not explicitly teach tracking results selected by one or more users and adjusting an order of the updated query result list based on a history of results previously selected by the one or more users. Bowman does teach this limitation at column 7, lines 45-50 to produce a successful query result at column 2, lines 44-46. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega with tracking results selected by one or more users and adjusting an order of the updated query result list based on a history of results previously selected by the one or more users to produce a successful query result at column 2, lines 44-46.

Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,564,213 issued to Ruben E. Ortega et al ("Ortega") and Lynne E. Gilfillan et al ("Gilfillan") in view of US Patent Application Publication Number 2002/0156917 issued to Timothy G. Nye ("Nye").

As per claim 8, same as claim arguments above and Ortega and Gilfillan do not explicitly teach ... characteristics of a client-server connection. Nye does teach this limitation (at paragraph 10, speed of connection) to efficiently search and transfer files (paragraph 10, lines 3-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega and Gilfillan with characteristics of a client-server connection to efficiently search and transfer files (paragraph 10, lines 3-5).

As per claim 9, same as claim arguments above and Ortega and Gilfillan do not explicitly teach wherein one characteristic of the client-server connection is connection speed and ... occur more frequently as said connection speed increases. Nye does teach this limitation (at paragraph 10, speed of connection) to efficiently search and transfer files (paragraph 10, lines 3-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega and Gilfillan characteristic of the client-server connection is connection speed and ... more frequently as said connection speed increases to efficiently search and transfer files (paragraph 10, lines 3-5).

**Claims 5, 22, 26, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable
over US Patent Number 6,564,213 issued to Ruben E. Ortega et al ("Ortega") and
Lynne E. Gilfillan et al ("Gilfillan") in view of US Patent Application Publication
Number 2006/0129915 issued to Ning-Ping Chan ("Chan").**

As per claim 5, same as claim arguments above and Ortega and Gilfillan do not
explicitly teach further comprising providing a visual indicator to the user when an
updated query result list is provided to the user. Chan does teach this limitation at
(paragraph 54, blinking search results) to provide a visual cue at paragraph 114). It
would have been obvious to one of ordinary skill in the art at the time of the invention to
modify Ortega and Gilfillan with a visual indicator to the user when an updated query
result list is provided to the user to provide a visual cue at paragraph 114.

As per claim 22, same as claim arguments above and Ortega and Gilfillan do not
explicitly teach further comprising providing a visual indicator to the user when an
updated query result list is provided to the user. Chan does teach this limitation at
(paragraph 54, blinking search results) to provide a visual cue at paragraph 114. It
would have been obvious to one of ordinary skill in the art at the time of the invention to
modify Ortega and Gilfillan with providing a visual indicator to the user when an updated
query result list is provided to the user to provide a visual cue at paragraph 114.

As per claim 26, same as claim arguments above and Ortega and Gilfillan do not explicitly teach further comprising a visual indicator that indicates when the query result list is updated. Chan does teach this limitation at (paragraph 54, blinking search results) to provide a visual cue at paragraph 114. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega and Gilfillan with a visual indicator that indicates when the query result list is updated to provide a visual cue at paragraph 114.

As per claim 29, same as claim arguments above and Ortega and Gilfillan do not explicitly teach wherein the query result list is animated for a predetermined period of time after the query result list is updated. Chan does teach this limitation at (paragraph 54, blinking search results) to provide a visual cue at paragraph 114. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega and Gilfillan with teach wherein the query result list is animated for a predetermined period of time after the query result list is updated to provide a visual cue at paragraph 114.

Contact Information

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Rayyan

July 21, 2006

JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100